

**IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

BANK OF THE OZARKS,)
)
Plaintiff,) Civil Action
) File No. 7:13-cv-00123-HL
v.)
)
BLACKACRE BUILDERS, LLC;)
BLACKACRE DEVELOPERS, L.L.C.;)
BLACKACRE PROPERTIES, L.L.C.;)
BLACKACRE UTILITIES, L.L.C.;)
SOUTHERN SIGNATURE HOMES,)
L.L.C.; and TRENT L. COGGINS, L.L.C.,)
)
Defendants.)

FINAL DEFAULT JUDGMENT AND CHARGING ORDER

This matter is before the Court on the Motion for Final Default Judgment Against Defendants, Blackacre Builders, LLC (“Blackacre Builders”), Blackacre Developers, L.L.C. (“Blackacre Developers”), Blackacre Properties, L.L.C. (“Blackacre Properties”), Blackacre Utilities, L.L.C. (“Blackacre Utilities”), Southern Signature Homes, L.L.C. (“Southern Signature”), and Trent L. Coggins, L.L.C. (“Coggins, L.L.C.”) (collectively, “Defendants”) (the “Motion”), filed by Plaintiff, Bank of the Ozarks (“Plaintiff”). After reviewing Plaintiff’s Motion, the Court finds that all Defendants were properly served with Summons and the Plaintiff’s Complaint but have failed to file an answer or other responsive pleading

in accordance with the Federal Rules of Civil Procedure. Accordingly, the Clerk has entered default as to all Defendants.

By their failure to answer, Defendants have admitted all allegations of the Complaint, including that (1) on August 28, 2013, this Court entered default judgment in the case of *Bank of the Ozarks v. Blackacre Properties, L.L.C., Blackacre Builders, LLC, Blackacre Developers, L.L.C., and Trent L. Coggins*, Civil Action No. 7:13-cv-00090-HL (the “Note Litigation”) (a) on Note No. 1 against Blackacre Properties, Blackacre Builders, Blackacre Developers, and Trent L. Coggins (“Coggins”), jointly and severally, in the amount of \$177,111.26 principal, \$5,279.64 late charges, \$15,042.63 interest, and \$2,577.00 in attorneys’ fees and costs; and (b) on Note No. 2 against Blackacre Properties and Coggins, jointly and severally, in the amount of \$11,521.08 principal, \$1,249.98 late charges, and \$1,180.43 in interest (the “Note Litigation Judgment”); and (2) Coggins is a member of Blackacre Builders, Blackacre Developers, Blackacre Properties, Blackacre Utilities, Southern Signature, and Coggins, L.L.C.

After reviewing Plaintiff’s Motion, the Affidavit of John J. Richard attached thereto, and all other matters of record, the Court **GRANTS** Plaintiff’s Motion and **ORDERS AND DIRECTS** the Clerk to enter a default judgment against all Defendants.

The Court further **ORDERS**, pursuant to O.C.G.A. § 14-11-504, that an encumbrance, lien, and charging order shall be, and hereby is, entered as to the individual membership interest of Trent L. Coggins in Blackacre Builders, Blackacre Developers, Blackacre Properties, Blackacre Utilities, Southern Signature, and Coggins, L.L.C., in favor of and for the benefit of Bank of the Ozarks for payment of the Note Litigation Judgment, plus post-judgment interest at the legal rate provided by federal law from August 29, 2013, to the date of satisfaction, to the extent that same remains unsatisfied.

IT IS SO ORDERED, this the 4th day of December, 2013.

s/Hugh Lawson

HUGH LAWSON, SENIOR JUDGE
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA

Prepared and presented by:

/s/ John J. Richard
John J. Richard
Georgia Bar No. 603989
jrichard@taylorenglish.com
Sean R. Smith
Georgia Bar No. 663368
ssmith@taylorenglish.com
Taylor English Duma LLP
1600 Parkwood Circle, Suite 400
Atlanta, GA 30339
Telephone: 770-434-6868
Facsimile: 770-434-7376

Counsel for Plaintiff,
Bank of the Ozarks